

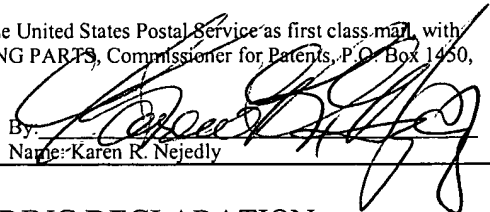


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth R. SMITH Examiner: Unknown  
Serial No.: 10/848,833 Group Art Unit: 3727  
Filed: May 17, 2004 Docket: 787.187USC1  
Confirmation No.: 4799  
Due Date: September 21, 2004  
Title: PIVOTAL HANDLE FOR A FOOD SERVICE TABLE

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 17, 2004.

By:   
Name: Karen R. Nejedly

COMMUNICATION REGARDING DECLARATION

Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**

PATENT TRADEMARK OFFICE

Sir:


Applicant submits herewith the Declaration from U.S. Patent Application Serial No. 09/950,535. The inventor is the same for both that application and this application, Serial No. 10/848,833. As the present application, Serial No. 10/848k,833 is a continuation, the prior Declaration is submitted herewith.

If the Examiner feels that a telephone interview may be helpful in this matter, please contact Applicant's representative at 612.336.4728.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612/332-5300

Date: 8/17/04

  
Gregory A. Sebald  
Reg. No. 33,280  
GAS/krm



This copy of the Declaration is intended for U.S. Patent  
Application Serial No. 10/848,833

### DECLARATION

I, Kenneth R. Smith, hereby declare that:

I am a citizen of the United States, residing in Atlantic City, New Jersey, and having a post office address of 22 North Raleigh Avenue, Atlantic City, New Jersey 08401.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "Pivotal Handle for a Food Service Table," the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I have not previously filed any foreign applications for patent or inventor's certificate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



POWER OF ATTORNEY

I hereby appoint Norman E. Lehrer, Registration No. 26,561, and Vanitha M. Elgart, Registration No. 41,445, whose address is 1205 North Kings Highway, Cherry Hill, New Jersey 08034, and whose telephone number is 856.429.4100, as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

PETITION

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney and this petition.

Dated: 08/01/01

Kenneth R. Smith  
KENNETH R. SMITH

S/N 09/950,535

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth R. SMITH Examiner: Bridget D. Avery  
Serial No.: 09/950,535 Group Art Unit: 3618  
Filed: September 13, 2001 Docket No.: 787.187US01  
Title: PIVOTAL HANDLE FOR A FOOD SERVICE TABLE

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on *May 17, 2001*

By: *[Signature]*

Name: Teresa Anderson *[Signature]*

KAREN NEWMAN

REVOCATION AND POWER OF ATTORNEY

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Please revoke any existing Powers of Attorney, if any, and appoint the following attorneys and/or patent agents to prosecute this application and to transact all business in the U.S. Patent and Trademark Office in connection therewith:

Ali, M. Jeffer	Reg. No. 46,359	DiPietro, Mark J.	Reg. No. 28,707
Altera, Allan G.	Reg. No. 40,274	Doscotch, Matthew A.	Reg. No. 48,957
Anderson, Gregg I.	Reg. No. 28,828	Edell, Robert T.	Reg. No. 20,187
Batzli, Brian H.	Reg. No. 32,960	Epp Ryan, Sandra	Reg. No. 39,667
Beard, John L.	Reg. No. 27,612	Fitzsimmons, Karen A.	Reg. No. 50,470
Bennett-Paris, Joseph M.	Reg. No. 47,226	Frost, Roger T.	Reg. No. 22,176
Berns, John M.	Reg. No. 43,496	Golla, Charles E.	Reg. No. 26,896
Blackburn, Muriel W.	Reg. No. 50,881	Gorman, Alan G.	Reg. No. 38,472
Bortolotti, Rebecca	Reg. No. 51,488	Gotfredson, Garen J.	Reg. No. 44,722
Brown, Jeffrey C.	Reg. No. 41,643	Gould, John D.	Reg. No. 18,223
Bruess, Steven C.	Reg. No. 34,130	Gresens, John J.	Reg. No. 33,112
Burke, John E.	Reg. No. 35,836	Haack, John L.	Reg. No. 36,154
Byrne, Linda M.	Reg. No. 32,404	Hamre, Curtis B.	Reg. No. 29,165
Clifford, John A.	Reg. No. 30,247	Hennings, Mark	Reg. No. 48,982
Cook, Jeffrey	Reg. No. 48,649	Hertzberg, Brett A.	Reg. No. 42,660
Daignault, Ronald A.	Reg. No. 25,968	Hillson, Randall A.	Reg. No. 31,838
Daley, Dennis R.	Reg. No. 34,994	Hope, Leonard J.	Reg. No. 44,774
Daley, William J.	Reg. No. 52,471	Hornsby, III, Alton	Reg. No. 47,299
Daulton, Julie R.	Reg. No. 36,414	Jacobson, Charles A.	Reg. No. 53,061
Deffner, Mark E.	Reg. No. 55,103	Johns, Nicholas P.	Reg. No. 48,995
DeMaster, E. Eric	Reg. No. 55,107	Johnston, Scott W.	Reg. No. 39,721
DeVries Smith, Katherine M.	Reg. No. 42,157	Kalinsky, Robert A.	Reg. No. 50,471

Kettelberger, Denise	Reg. No. 33,924
Knearl, Homer L.	Reg. No. 21,197
Korver, Joshua W.	Reg. No. 51,894
Kowalchyk, Alan W.	Reg. No. 31,535
Kowalchyk, Katherine M.	Reg. No. 36,848
Lamberty, Michael	Reg. No. 50,760
Larson, James A.	Reg. No. 40,443
Lauer, Deakin T.	Reg. No. 47,735
Leach III, Thomas J.	Reg. No. 53,188
Leonard, Christopher J.	Reg. No. 41,940
Lewis, George C.	Reg. No. 53,214
Liepa, Mara E.	Reg. No. 40,066
McDonald, Daniel W.	Reg. No. 32,044
McIntyre, Jr., William F.	Reg. No. 44,921
Mueller, Douglas P.	Reg. No. 30,300
Nelson, Anna M.	Reg. No. 48,935
Pauly, Daniel M.	Reg. No. 40,123
Peterson, Kyle T.	Reg. No. 46,989
Phillips, John B.	Reg. No. 37,206
Randall, Joshua N.	Reg. No. 50,719
Reich, John C.	Reg. No. 37,703
Reiland, Earl D.	Reg. No. 25,767
Schmalz, David G.	Reg. No. 32,828

Schuman, Mark D.	Reg. No. 31,197
Schumann, Michael D.	Reg. No. 30,422
Scull, Timothy B.	Reg. No. 42,137
Sebald, Gregory A.	Reg. No. 33,280
Skoog, Mark T.	Reg. No. 40,178
Sorge, Keith M.	Reg. No. 50,865
Stewart, Alan R.	Reg. No. 47,974
Stoll-DeBell, Kirstin L.	Reg. No. 43,164
Strouse, Thomas J.	Reg. No. 53,950
Sullivan, Timothy	Reg. No. 47,981
Swenson, Erik G.	Reg. No. 45,147
Trembath, Jon R.	Reg. No. 38,344
Underhill, Albert L.	Reg. No. 27,403
Wahl, John R.	Reg. No. 33,044
Welter, Paul A.	Reg. No. 20,890
Wier, David D.	Reg. No. 48,229
Williams, Douglas J.	Reg. No. 27,054
Wong, Bryan A.	Reg. No. 50,836
Zeuli, Anthony R.	Reg. No. 45,255

Please direct all correspondence in this application to Gregory A. Sebald, Merchant &

Gould P.C., P.O. Box 2903, Minneapolis, MN 55402-0903, telephone 612-332-5300.

Dated: \_\_\_\_\_

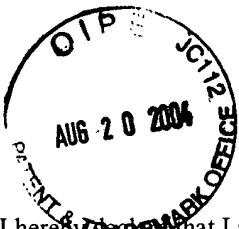
*April 19, 2004*

By: \_\_\_\_\_

*Kenneth R. Smith*  
Kenneth R. Smith

**23552**

PATENT TRADEMARK OFFICE



SMALL BUSINESS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. 1.27(a)(2)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- a) ☐ the owner of the small business concern identified below:  
b) ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Sico Incorporated  
ADDRESS OF CONCERN: 7525 Cahill Road  
Edina, Minnesota 55439-2745  
U.S.A.

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. 121 and in 37 C.F.R. 1.27(a)(2), and reproduced in 37 C.F.R. 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled PIVOTAL HANDLE FOR A FOOD SERVICE TABLE by inventor(s) Kenneth R. Smith described in

- a) ☐ the specification filed herewith.  
b) ☐ provisional application serial no. \_\_\_, filed \_\_\_\_.  
c) ☒ non-provisional application serial no. 10/848,833, filed May 17, 2004.  
d) ☐ patent no. \_\_\_, issued \_\_\_\_.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a person under 37 C.F.R. 1.27(a)(1) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.27(a)(2) or a nonprofit organization under 37 C.F.R. 1.27(a)(3).

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
a) ☐ PERSON b) ☐ SMALL BUSINESS CONCERN c) ☐ NONPROFIT ORGANIZATION

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
a) ☐ INDIVIDUAL b) ☐ SMALL BUSINESS CONCERN c) ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. 1.27(g)(2)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereof, or any patent to which this verified statement is directed.

NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
SIGNATURE: *Kenneth R. Smith* Date: 8-11-04

\* Separate statements should be obtained from each named person, concern, or organization having rights to the invention as to their status as small entities.